

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

09 HUMANE SOCIETY - WESTERN REGION, ) CASE NO. C05-377MAT  
d/b/a HAPPY PAWS FARM, a Washington )  
10 non-profit corporation,, )

13 SNOHOMISH COUNTY, a subdivision of the )  
State of Washington )

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The Court hereby GRANTS the Stipulated Motion to continue the trial date. This Court orders the following amended pretrial schedule:

	<b>DATES</b>
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20	3-4 DAY JURY TRIAL RE-SET FOR 9:00 a.m. on <b>September 4, 2007</b>
21	Deadline for joining additional parties N/A
22	Reports of expert witnesses under FRCP 26(a)(2) DUE March 2, 2007
23	All motions related to discovery must be FILED by and noted on the motion calendar no later than the third Friday thereafter ( <u>see CR7(d)</u> ) April 20, 2007
24	Discovery to be COMPLETED by May 4, 2007
25	All dispositive motions must be FILED by and noted on the motion calendar no later than the fourth Friday thereafter ( <u>see CR</u> 7(d)) June 1, 2007
26	

**AMENDED ORDER SETTING PRETRIAL DATE  
AND PRETRIAL SCHEDULE**

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	<b>DATES</b>
02	Settlement conference per CR 39.1(c)(2) HELD no later than
03	July 5, 2007
04	Mediation per CR 39.1(c)(3) HELD no later than
05	August 3, 2007
06	All motions in limine must be FILED by this date and noted on the motion calendar no later than the second Friday after filing
07	August 6, 2007
08	Agreed pretrial order DUE
09	August 23, 2007
10	Trial briefs, proposed voir dire questions, proposed jury instructions and trial exhibits DUE (see below)
11	<b><u>August 27, 2007</u></b>
12	Counsel are to confer and indicate with their submissions which exhibits are agreed to by both sides. Proposed Jury Instructions shall conform to the Local Rule CR51. Counsel are requested to furnish the Court with a copy of the un-cited Jury Instructions on computer disc, preferably in Word Perfect format.
13	Pretrial conference scheduled in chambers
14	<b><u>August 29, 2007</u></b>
15	<b>COUNSEL WITH PRINCIPAL TRIAL RESPONSIBILITY</b>
16	<b><u>8:30 a.m.</u></b>
17	<b><u>MUST ATTEND</u></b>

The dates set forth in this order are firm dates that can be changed only by order of the Court, not by agreement of counsel for the parties. The Court will alter these dates only upon good cause shown. Failure to complete discovery within the time allowed is not recognized as good cause. These dates are set at the direction of the Court after reviewing the joint status report and discovery plan submitted by the parties. All other dates are specified in the Local Civil Rules. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event shall be performed on the next business day.

If the trial date assigned to this matter creates an irreconcilable conflict , counsel must notify Deputy Clerk Judy Nothern in writing within 10 days of the date of this Order and must set forth the exact nature of the conflict. A failure to do so will be deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but it should be understood that the trial may have to await the completion of other cases.

## 25 COOPERATION

26 As required by CR 37(a), all discovery matters are to be resolved by agreement if possible.

01 Counsel are further directed to cooperate in preparing the final pretrial order in the format  
02 required by CR 16.1, except as ordered below.

03

04 **EXHIBITS**

05 The original and one copy of the trial exhibits are to be delivered to Judge Theiler's  
06 chambers five days before the trial date. Each exhibit shall be clearly marked. The Court hereby  
07 alters the CR 16.1 procedure for numbering exhibits: plaintiff(s)' exhibits shall be numbered  
08 consecutively beginning with 1; defendant(s)' exhibits shall be numbered consecutively beginning  
09 with the next number not used by plaintiff. Duplicate documents shall not be listed twice. Once  
10 a party has identified an exhibit in the pretrial order, it may be used by any party. Each set of  
11 exhibits shall be submitted in a three-ring binder with appropriately-numbered tabs.

12

**SETTLEMENT**

13 If this case settles, plaintiff(s)' counsel shall notify Judy Thomas at (206) 370-8420, as soon  
14 as possible. Pursuant to GR 3(b), an attorney who fails to give the Deputy Clerk prompt notice  
15 of settlement may be subject to such discipline as the Court deems appropriate.

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The Clerk is directed to send copies of this Order to all parties of record.

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20 DATED this 19<sup>th</sup> day of December, 2006

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23 Mary Alice Theiler  
U.S. Magistrate Judge

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